



FREEPORT POLICE DEPARTMENT

GENERAL ORDER 9.40

ISSUED DATE: 9/2/2014	EFFECTIVE DATE: 9/2/2014	REVISES: G.O. 22C
SUPERSEDES:	RE-EVALUATION DATE:	PAGE 1 of 4
SUBJECT: USE OF OLEORESIN CAPSICUM (O.C.)		
DISTRIBUTION: TO ALL MEMBERS OF THE DEPARTMENT		
ISSUING AUTHORITY: MIGUEL BERMUDEZ, CHIEF OF POLICE		

Policy: The policy of the Police Department is to prevent crime and arrest offenders while protecting human life. In situations where it is necessary to engage in the lawful use of force, officers will use force based upon the totality of circumstances using a reasonable and necessary standard to effectively bring an incident or person under control.

Purpose: To establish procedures for the use of Department-issued Oleoresin Capsicum (O.C.) by officers to stop and control individuals when it is reasonable and necessary to use force.

Scope: All members of the Freeport Police Department

I. Definitions

- A. **Hydraulic needle effect:** at distances less than 3 feet, liquid leaving a canister under pressure can damage a person's eye.
- B. **Oleoresin Capsicum (OC):** an inflammatory agent derived from the oils and waxes of crushed cayenne peppers. The physical effects on a person caused by OC will usually lessen his ability to resist or retaliate.

Note: OC has no vapor rate therefore, it will not evaporate.

- C. **OC effects:** may include physiological and psychological effects, such as:

1. acute burning sensation and redness of exposed skin,
2. involuntary closing of eyes,
3. inflammation in the mucous membranes of the nose and throat, triggering a cough reflex,
4. temporary loss of muscle coordination,
5. extreme panic attack,
6. inability to respond to commands.

Note: OC may also be effective against animals.

II. Rules

- A. *Officers* will not use force except as provided by law.

III. Use of Oleoresin Capsicum

- A. *Determines* the use of force is reasonable and necessary to control a person and *evaluates* the use of O.C.

Note: OC *should not* be used in the following situations

1. after a person is under control,
2. a person is apparently under 12 years of age,
3. a person appears to be elderly and frail,
4. a person is known to have any of the following medical conditions:
 - a) *chronic emphysema,*
 - b) *heart disease,*
 - c) *asthma.*

Note: The intent to use OC should not be announced; doing so may defeat the effects of OC on a person.

- B. *Uses* O.C. when reasonable and necessary to control a person and discharges the O.C. into the person's face, in accordance with training, to produce the proper O.C. effects.

Note: The effective range of discharge is 3-12 feet

- C. *Restrains* the subject, if possible, while he is still affected by the O.C.

- D. *Discontinues* use of OC if a person shows no effects from OC effectively placed in the face area.
- E. *Initiates* the arrest procedure if an arrest is warranted
- F. *Inquires* if the exposed person is wearing contact lenses.
- G. *Initiates* aided case procedure if any of the following conditions are suspected:
 - 1. the hydraulic needle effect
 - 2. severe breathing difficulties,
 - 3. contamination of contact lenses,
 - 4. any other need for medical attention.
- H. *De-contaminates* an exposed person, when possible to do so without risk to the officer, by irrigating the exposed area with water.

Note: If a person must be transported for de-contamination, he should be placed in a vehicle in a position that would not contribute to difficulties in breathing.

- I. *Initiates* aided case procedure if, after de-contamination, a person experiences the following:
 - 1. unusual discomfort,
 - 2. his level of pain increases,
 - 3. any other need for medical attention.
- J. *Constantly observe*, for a minimum period of 30 minutes, any person who has been exposed to OC.
- K. *Assesses* the need to decontaminate an area after the use of OC and either:
 - 1. *decontaminates* Department property, **or**
 - 2. *advises* owners of private property of appropriate decontamination steps.

Note: Decontamination can be accomplished by cleaning affected areas, as follows:

- 1. wiping down, with a cloth and water, items such as walls, chairs and car seats, and airing out the area for a minimum of 15 minutes,
- 2. washing all exposed clothing. Washing with soap and water is preferred; dry cleaning may not be effective.

IV. Reporting Use of Oleoresin Capsicum

- A. *Prepares* a Freeport Police Department Use of Force Report, when O.C. is used.
- B. Copies of the aforementioned Use of Force Report will be forwarded to the Chief of Police and the Commanding Officer of the Firearms and Tactics Section for review to ensure compliance with policy and to identify the need, if any, for further training.

BY ORDER OF:

**MIGUEL BERMUDEZ
CHIEF OF POLICE**